

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Stephen Nicholas Holmes,

File No. 23-cv-2971 (ECT/ECW)

Plaintiff,

v.

**ORDER ACCEPTING REPORT
AND RECOMMENDATION**

Centurion of Minnesota, MN DOC, State of MN, Joan Wolfe, *DCO TCD*, Kristen, *Supervisor TCD*, Emily Meligert, *Supervisor TCD*, Paul Schell, Does A–E, *Nurses Centurion*, Promise Amairi, *NP Centurion*, James Amsterdam, *Medical Director of MN DOC*, Thanh Weeks, *NP Centurion*,

Defendants.

Magistrate Judge Elizabeth Cowan Wright issued a Report and Recommendation on December 5, 2023. ECF No. 8. No party has objected to that Report and Recommendation, and it is therefore reviewed for clear error. *See* Fed. R. Civ. P. 72(b); *Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (per curiam). Finding no clear error, and based upon all of the files, records, and proceedings in the above-captioned matter, **IT IS ORDERED THAT:**

1. The Report and Recommendation [ECF No. 8] is **ACCEPTED**; and
2. This action is **DISMISSED without prejudice** under Federal Rule of Civil Procedure 41(b) for failure to prosecute.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: January 5, 2024

s/ Eric C. Tostrud

Eric C. Tostrud

United States District Court